PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section _______To allow a recreational vahicle to be parked in the front/side yard in lieu of the required 8 feet to the rear of the lateral projection of the front foundation wall,

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) 1. Obvious value of vehicle means it needs to be protected and watched

to insure its safety from vandals, weather and misuse. It is a house and a van in one-both need attention regularly. Moving it back to 8' behind front wall of house would block the only window in our living room and jeopardize the behicles safety because it would sink in the mud since there is no proper pad for pecause it would sink in the mud Since there is no proper pad for it at that location. (We have a drainage problem in our yard that we have complained to Baltimore County about and gotten no help.)

Property is to be posted and advertised as prescribed by Zr ing Regulations. I, or we, agree to pay expenses of above Variance advertising, sting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

	Witten and annual	
	Legal Owner(s):	m Ne sie
contract Perchaser:	POBERT W JACOB (Type or Print Na oc)	E-3.
(Type or Print Name)	Colon of Just	DATE_ILIZIO
Signature	BARBARA S. JACOB (Type or Print Name)	300
Address	Busherai S. Jaco	9-20
City and State	·	668-5329 (H)
Attorney for Petitioner:	3404 Hiss Avenue	Phone No.
(Type or Print Name)	Baltimore, MD 21234	***
Signature	Name address and phone number	of legal owner, con- to be contacted
Andress	Barbara S. Jacob	668-5329
City and State	3404 Hiss Avenue	Phone No.
Attorney's Telephone No.:	Address	296-5000 (W)
of 19. required by the Zoming Law of Bakt out Baltimore County, that property Commissioner of Baltimore County	missioner of Baltimore County, this 27, that the subject matter of this petition imore County, in two newspapers of general be posted, and that the public hearing be he in Room 106, County Office Building in day of 28	ad before the zoning. Towson, Baltimore
County, on the	and the second	

4) The relief granted herein shall expire upon the earlier of one year from the date of this Order or the removal of the vehicle from the premises or the sale of same.

> ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

AMN:bjs

the burden upon Petitioners is more difficult in this instance to meet. Clearly, the hardship which may be experienced by Petitioners is not that different or unique from any other property owner. To grant a variance in each case would not be promoting the spirit and intent of the zoning regulations. For the reasons set forth herein, the variance requested shall be limited as to its duration to allow Petitioners adequate time to either make alternate arrangements for storage of the vehicle or dispose of same. Pursuant to the advertisement, posting of the property, and pub-

lic hearing on this Petition held, and for the reasons given above, the requested variance should be granted, with restrictions as more fully described below.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this day of March, 1990 that the Petition for Zoning Variance to permit a recreational vehicle to be parked in the front/side yard in lieu of the required 8 feet to the rear of the lateral projection of the front foundation wall, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following

The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded and Petitioners would be required to comply with the zoning regulations.

The variance granted herein is limited to Petitioners for a period of one year from the date of this Order during which time Petitioners shall either make alternate arrangements for storage of the recreational vehicle or dispose of same.

3) Further, the variance granted herein is limited to the parking of the one recreational vehicle currently owned by Petitioners, which is 26 feet in length.

CONTINUATION OF HARDSHIP OR PRACTICAL DIFFICULTY AREA:

4. The vehicle in question would suffer greatly if placed in a storage lot because it must be parked exactly level and benefits from being hooked up to electricity (to run refrigerator and keep r.v. battery

5. The vehicle would have to be parked at the house at some time or it would be impossible to use it at all since it takes considerable time to prepare it for a trip.

6. The vehicle causes no one any harm, threatens no one's health or safety where it is parked presently and has been parked most of the time for over six and one-half years. Prior to that we had other recreational vehicles stored on the same drive for over 19 years. 7. I (Barbara Jacob, owner of said recreational vehicle) would suffer greatly if I couldn't be certrin that the vehicle was o.k. since it was purchased with my dead some G. I. Life Insurance and it bears a plaque dedicating it to his memory. It is very special to me.

PETITION FOR CONING VARIANCE N/S Hiss Avenue, 132' E of the c/l of Wendell Avenue (3404 Hiss Avenue)

* DEPUTY ZONING COMMISSIONER * OF BALTIMORE COUNTY 14th Election District

6th Councilmanic District * Case No. 90-338-A Robert W. Jacob, et ux

petitioners * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a recreational vehicle to be parked in the front/side yard in lieu of the required 8 feet to the rear of the lat ral projection of the front foundation wall, in accordance with Petitioner's Exhibit 1.

The Petitioners, by Mrs. Barbara S. Jacob, appeared and testified. No Protestants appeared at the hearing.

Testimony indicated that the subject property, known as 3404 Hiss Avenue, consists of 5,740 sq.ft. zoned D.R. 5.5 and is improved with a semi-detached single family dwelling which has been Petitioners' residence for the past 27 years. Mrs. Jacob testified she and her husband have had a recreational vehicle parked in their driveway for the past 23 years and that for the past 7 years, they've had a 26-foot motor home, valued at approximately \$32,000, parked in the subject location. Testimony indicatangle $_{
m ed}$ that prior to notification of a zoning violation by the Zoning Office, Petitioners were unaware that they were in violation of any zoning regulations. Testimony indicated Petitioners spoke with their surrounding neighbors who have no objections to their request. Mrs. Jacob indicated that D D h the individual who filed the complaint does not reside within eyesight of the subject property. Petitioner testified to require strict compliance with the zoning regulations would result in practical difficulty as there

is no other location on the property to park the vehicle as the rear of the property has a drainage problem. Further testimony indicated that if required to move the motor home to a storage lot would result in unreasonable hardship to Petitioners for security reasons. Petitioner testified that the motor home parked in its present location does not result in any detriment to the health, safety or general welfare of the community as it does not block the view of traffic at the corner of Wende Avenue.

An area variance may be granted where strict application of the coning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

 whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome:

2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28

Based upon the testimony and evidence presented, it appears that a variance, as hereinafter restricted, should be granted. Clearly, the evidence presented would indicate that the parking of the vehicle at its present location has not created any detriment to the community health and safety as this particular vehicle has existed on the property for the past 7 years without complaint and a recreational vehicle has been parked in the subject location for the past 23 years. However, the second prong of

ZONING DESCRIPTION

Beginning at a point on the north side of Hiss Avenue which is 60' wide at the distance of 132' east of the centerline of the nearest improved intersecting street (Wendell Avenue) which is also of wide. As recorded in Liber 28 , Folio 54 in the subdivision of Hallmark Manor containing 5940 square feet (.136 acre) N 47° 32' - 37" W; W542° 27'-23"W; S47°-32'-37" E; S42° 27'-23" W to the place of beginning. Also known as 3404 Hiss Avenue and located in the 14th Election District.

Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

March 12, 1990

Mr. & Mrs. Robert W. Jacob 3404 Hiss Avenue Baltimore, Maryland 21234

RE: PETITION FOR ZONING VARIANCE N/S Hiss Avenue, 132' E of the c/l of Wendell Avenue (3404 Hiss Avenue) 14th Election District - 6th Councilmanic District Robert W. Jacob, et ux - Petitioners

Dear Mr. & Mrs. Jacob:

Case No. 90-338-A

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

a MNshimm ANN M. NASTAROWICZ Deputy Zoning Commissioner

AMN:bjs

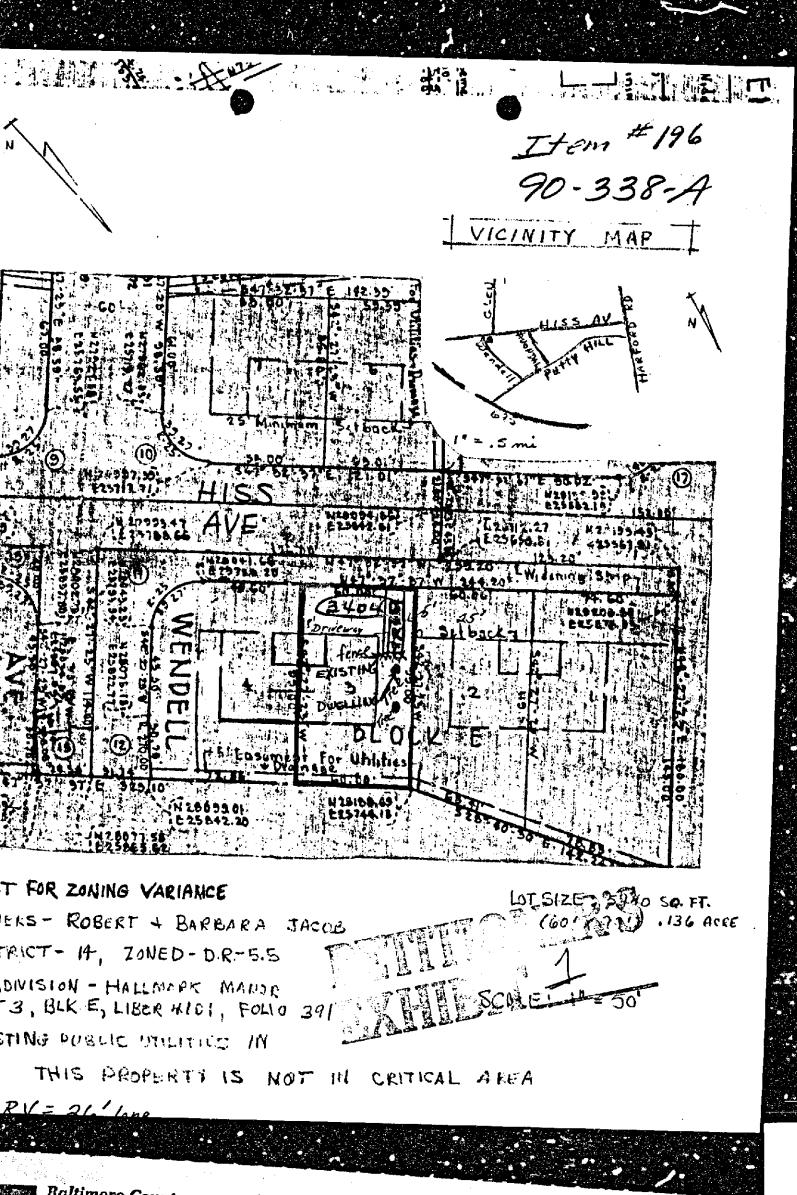
for Baltimore County

cc: Ms. Norma Liberto 3413 Hallmark Circle, Baltimore, Md.

People's Counsel

- 4-

Dennis F. Rasmussen
County Executive



ZENING ENFORCEMENT Baltimore County Zoning Office Towson, Maryland 21204 90-338-A BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE TO: James F Dyer DATE: December 15, 1989 Zoning Supervisor FROM: James H. Thompson Zoning Enforcement Coordinator RE: Item No. #196 (if known) Petitioner: Mr & Mrs Jacob (if known) VIOLATION CASE # 90-208 LOCATION OF VIOLATION 3404 Hiss Avenue Baltimore, Md. 21234 DEFENDANT Mr & Mrs Jacob ADDRESS 3404 Hiss Avenue Baltimore, Md. 21234 Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons: After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case. County Office Building
111 West Chesapeak & Avenue CERTIFICATE OF POSTING

Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines Mr. & Mrs. Robert W. Jacob 3404 Hiss Avenue Baltimore, Maryland 21234 Petition for Zoning Variance CASE NUMBER: 90-338-A N/S Hiss Avenue, 132 E of c/l of Wendell Avenue 3404 Hiss Avenue 14th Election District - 5th Councilmanic Petilioner(s): Robert W. Jacob, et ux HEARING: WEDNESDAY, MARCH 7, 195 at 2:00 p.m. Dear Mr. & Mrs. Jacob: Please be advised that 12.56 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S)

RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE.

DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY

UNTIL THE DAY OF THE HEARING. Please make your check payable to daltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

DATE 2/13/98

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

> Very truly yours, ZONING COMMISSIONER

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

J. Robert Haines

January 23, 1990

NOTICE OF HEARING



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Caltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as

Petition for Zoning Variance CASE NUMBER: 90-338-A N/S Hiss Avenue, 132' E of c/l of Wendell Avenue 3404 Hiss Avenue 14th Election District - 5th Councilmanic Petitioner(s): Robert W. Jacob, et ux HEARING: WEDNESDAY, MARCH 7, 1990 at 2:00 p.m.

Variance: To allow a recreational vehicle to be parked in the front/side yard in lieu of the required 8 feet to the rear of the lateral projection of the front foundation

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

NOTE:

(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the Hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.)

J. Robert flaires . ROBERT HAINES ZONING COMMISSIONER BALTIMORE COUNTY, MARYLAND

1620 PUBLIC HEARING FEES 080 -POSTING SIGNS / ADVERTISING 1 X

LAST MAKE OF OWNER: JACOB

PUBLIC HEARING FEES

B G23+++++3500:a 2152F

Petitioner: 135-t W. Jacob, of old
Location of property: 1/15 His Am., 172' E/Word dell Am.
3404 His Sara Location of Signer Freing His Art, approx 25 Fx. 100 dway

NUTTICE OF HEATING of Wendet Avenue 3404 Hiss Avenue 14th Election District 6th Councilmanic

CERTIFICATE OF PUBLICATION

February 8 ,1990 THIS IS TO CERTIFY, that the annexed advertisement was publish-_successive weeks, the first publication appearing on Feb. 7

NORTHEAST TIMES REPORTER

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of ____successive weeks, the first publication appearing on Feb 7 1990.

NOTICE OF HEARING The Zoning Commissioner o Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Count

Case number: 90-338-A N/S Hiss Avenue, 132' E of c.

3404 Hiss Avenue 14th Election Distric 6th Councilmanic

Petitioner(s): Robert W. Jacob, et ux

Hearing Date: Wednesday, Mar. 7, 1990 at 2:00 p.m

CERTIFICATE OF PUBLICATION

TOWSON, MD. February 8, 1990 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of _____ successive

THE JEFFERSONIAN,

NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER

date of the hearing set above o hearing date, the Hearing will be postponed. In the event of anow telephone 887-3391 to up. 3-1 J. ROBERT HAINES

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

J. Robert Haines Zoning Commissioner

February 20, 1990

Mr. & Mrs. Robert W. Jacob 3404 Hiss Avenue Baltimore, MD 21234



RE: Ite No. 196, Case No. 90-338-A Petitioner: Robert W. Jacob, et ux Petition for Zoning Variance

Dear Mr. & Mrs. Jacob:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Zoning Plans Advisory Committee

JED:jw

Enclosures

Very truly yours,

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

J. Robert Haines Zoning Commissioner



Your petition has been received and accepted for filing this 27th day of December, 1989.

J. Robert Sprinea

Received By:

Zoning Plans Advisory Committee

Petitioner: Robert W. Jacob, et ux

Petitioner's Attorney:

Baltimore County Department of Public Works Bureau of Tranc Engineering Courts Building, Suite 405 Towson, Maryland 21204 (301) 887-3554

January 11, 1990



J. Robert Haines Zoning Commissioner County Office Building Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 191, 192, 194, 195, 196 and 197.

Very truly yours,

Michael S. Flanigan, Traffic Engineer Assoc. II

MSF/lab

INTER-OFFICE CORRESPONDENCE

J. Robert Haines

Zoning Commissioner

DATE: December 20, 1989

Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Robert W. Jacob, et ux, Item 196

The Petitioners request a Variance to allow a recreational vehicle to be parked other than where permitted.

BALTIMORE COUNTY, MARYLAND

In refrence to this request, staff offers no comment.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

Baltimore County Fire Department 700 East Joppa Road, Suite 901 Towson, Maryland 21204-5500 (301) 887-4500

DECEMBER 29, 1989

J. Robert Haines Zoning Commissioner Office of Planning and Zo. ing Baltimore County Office Building



Towson, MD 21204

RE: Property Owner:

Location:

Paul H. Reincke Chief

ROBERT W. JACOB #3404 HISS AVENUE

Item No.:

Zoning Agenda: DECEMBER 26, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

Planding Group Special Inspection Division

